IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

OP.No. 19645 of 1998(L)

PETITIONERS:
---

1. O.E. ANIYAN, 357/VII A8, NARAYANAN VAIDER SMARAKA MUNCIPAL AND SHOPPING COMPLEX , EAST NADA, KODUNGALLORE.
2. M.S. VIJAYAN, 350/VII-A1 OF -DO-
3. K.P. DEVARAJAN, 351/VII A2 OF -DO-
4. V.G. DAVIS, 352/VII A3 OF -DO-
5. P. MURALEEDHARAN, 353/VII A4 OF -DO-
6. K. BALAKRISHNAN, 354/VII A5 OF -DO-
7. A. SOMASEKHARAN, 355/VII A6 OF -DO-
8. T.K.SHAJI, 356/VII OF -DO-
9. E.D. DANEESH, 358/VII OF -DO-
10. V.G. LOTUS, 360/VII, B3 OF -DO-
11. K.V. SHAJI, 361/VII B4, OF -DO-
12. K.A. ISMAIL, 362/VII B5, OF -DO-
13. AJITH KUMAR, 363/VII OF -DO-
14. K.I. MUHAMMED, 364/VII B7 OF -DO-
15. P. SAJEEV, 365/VII A8, OF -DO-
16. E.R.. ANANDAN, 366/VII B9 OF -DO-
17. P.A. VISWAMBHARAN, 367/VII B10 OF -DO-
18. K.V. SANISH KUMAR, 368/VII B11 OF -DO-

19. K.G. SAHAJA DELEEPKUMAR, 369/VII B12, -DO-

20. A.R. PRADEEP, 370/VII B13, -DO-

21. C.P. THILAKAN, 358/VII B2 OF -DO-

22. P.S. SUBRAMANIAN, 388/VII C1 OF -DO-

23. T.S. ABDUL RAZAK, 382/VII C2 OF -DO-

24. K.R. JAYAN. 381/VII C3 OF -DO-

25. T.C. XAVIER, 380/VII C4, OF -DO-

26. T.K. GIRISH, 378/VII OF -DO-

27. T.K. RADHAKRISHNAN, 377/VII OF -DO-

BY ADV. SRI.M.J.THOMAS

RESPONDENTS:
---

1. THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, LOCAL ADMINISTRATION, SECRETARIAT, THIRUVANANTHAPURAM

2. THE KODUNGALLOR MUNCIPALITY, KODUNGALLOOR REPRESENTED BY ITS SECRETARY.

3. THE SECRETARY, KODUNGALLOOR MUNCIPALITY, KODUNGALLOOR.

BY ADV. SRI.S.VIJAYAKUMAR
BY SR. GOVERNMENT PLEADER SMT. R. MEERA.
SRI.GEORGE JACOB (JOSE)

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 04/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS:

EXT.P1	:	TRUE COPY OF LETTER DATED 27.03.1998 ISSUED BY THE THIRD RESPONDENT TO 5TH PETITIONER.
EXT.P1a	:	TRANSLATION OF EXT.P1.
EXT.P2 :	:	TRUE COPY OF ORDER IN C.M.P. 27656/1998 IN O.P. 15566/1998 HIGH COURT OF KERALA.

/true copy/

H.L.DATTU, C.J. & K.T.SANKARAN,J.

O.P. NO. 19645 OF 1998 L

Dated this the 4th September, 2007

JUDGMENT

H.L.DATTU, C.J.

Petitioners in this Original Petition seek for the following reliefs. They are as under:

> 'i) Issue a writ of mandamus or other appropriate writ, order or direction directing the respondents 2 and 3 to allow the petitioners to execute the licence deed on stamp paper worth Rs.50/- only; and
>
> ii) To allow such other reliefs which this Court may deem fit and proper in the circumstances of the case."

2. In view of the decision of this Court in the case of **Abdulrahiman** v. **Tirur Municipality** (2001 (2) KLT 716), the reliefs sought for by the petitioners cannot be granted by this Court. Accordingly, the Original Petition is rejected.

3. In view of the order passed in the Original Petition, the relief sought for in C.M.P.No.34592 of 1998 need not be considered by this Court. Accordingly, the said petition is also rejected.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/

H.L.DATTU, C.J. &
K.T.SANKARAN, J.

O.P.NO.19645 of 1998 L

JUDGMENT

4th September, 2007